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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Palese et al.

Application No.: 09/707,629

Group Art Unit: 1648

Filed: April 30, 1998

Examiner: L. Scheiner

For: RECOMBINANT INFLUENZA VIRUSES
EXPRESSING TUMOR-ASSOCIATED
ANTIGENS AS ANTITUMOR AGENTS

Attorney Docket No.: 6923-071-999

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Commissioner for Patents
Box AF
Washington, D.C. 20231

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated September 13, 2001 of the Primary Examiner finally rejecting claims 1-5, 20-22, 28 and 29 of the above-identified application.

The item(s) checked below are appropriate:

1. An extension of time for responding to the final rejection for month(s):
 was filed on
 is submitted herewith.
2. A timely response to the final rejection is being filed herewith.
3. A fee in the amount of \$320.00 is:
 Required.
 Not required (Fee paid in prior appeal).
4. Applicant has qualified for the 50% reduction in fee for an independent inventor, non profit organization or small business concern and a fee in the amount of \$155.00 is:
 Required.
 Not required (Fee paid in prior appeal).

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5. Please charge the required fee, if any, to Pennie & Edmonds LLP Deposit Account No. 16-1150. A copy of this sheet is enclosed.

Respectfully submitted,

Date March 13, 2002

Laura A. Coruzzi 30,742
Laura A. Coruzzi (Reg. No.)

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